



Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 47
Comm #: 53086-9701-04-A
BRRTS #: 03-67-003432
Site Name: Don's Uni Mart
Site Address: 104 Kettle Moraine Dr. N, Slinger, 53086
Site Manager: Jim Delwiche
Address: 141 NW Barstow St., Rm. 180
City, State Zip: Waukesha, WI 53188-3789
Phone: (262) 574-2145
e-mail: Jimc.Delwiche@Wisconsin.gov
Bid Manager: Stephen D. Mueller
Address: 101 West Pleasant Street, Suite 100A
City, State Zip: Milwaukee, Wisconsin 53212-3963
Phone: (414) 220-5402
e-mail: Stephen.Mueller@Wisconsin.gov

Bid-Start Date:	January 22, 2007
Questions must be received by (See Section 2 (B)):	February 5, 2007 4:00 PM
Responses will be posted by (See Section 2 (B)):	February 23, 2007
Bid-End Date and Time:	March 9, 2007 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Action Legal-Milwaukee, 757 N. Broadway, Ste. 200, Milwaukee, WI 53202
Phone: (414) 276-2679 Fax: (414) 276-1529

SECTION 2 – Site-Specific Bid Requirements

General Comments

The site has operated as a gasoline service station since the 1950's, and is located at 104 Kettle Moraine Dr. (State Hwy. 144) in a commercial-residential area in the Village of Slinger. The property has an area of about 10,500 square feet with an approximately 1,300 square foot building in the northeast quadrant of the property. In 1988, five UST's (suspected of leaking) were removed from the site. Three fiberglass UST's were installed in 1988. In 1996, the three fiberglass UST's were upgraded in a complete remodel of the site, during which approximately 175 tons of soil were removed and landfilled.

According to the case file, several groundwater flow systems are reported to exist within the native glacial geology. During the site investigation, nine monitoring wells (MW-1 – MW-4, and EW-1 – EW-5) were installed to investigate the shallow water table system, and eleven piezometers (PZ-1 – PZ-11) were installed to investigate the deeper glacial groundwater system.

Village of Slinger Well #3 (WI Unique Well #BH263) is located approximately 350 ft. north-northeast of the station property. The well is cased to dolomite bedrock at 141 ft. bgs and is 6-in diameter, open borehole to 317 ft. bgs.

Seven soil vapor-groundwater extraction wells (SV-1 – SV-7 [SV-5 replaced EW-1]) were installed and operated as part of a soil-vapor extraction (SVE) remediation system that ran from May 1998 until August 1999. Approximately 3,500 lbs of volatile petroleum contamination were removed by the SVE system.

Case closure was requested in May 2001. However, due to the proximity of Village of Slinger Well #3, additional groundwater sampling and calculation of contaminant travel time to the well were requested by the Department of Natural Resources (DNR).

Minimum Remedial Requirements

General Summary of Scope of Work: Task 1 – well integrity inspection, Task 2 – additional groundwater monitoring, Task 3 – estimation of contaminant plume travel time, and Task 4 – reporting. The bid is not a cost to closure, unless closure is attainable during the timeframe of the prescribed scope of work (SOW).

If additional groundwater monitoring is required, a cost estimate for the additional monitoring will be requested. Based on the cost estimate, the additional work would be approved or redirected through the public bid process.

Task 1: Well integrity inspection

Locate and inspect the integrity and compliance with NR141, Wis. Admin. Code, of all 19 site groundwater monitoring wells and piezometers, and the integrity of the seven remediation wells. Measure the groundwater (and, if present, petroleum product) level in all of the remaining wells. If free product is encountered, the DNR and Commerce shall be notified immediately.

Submit a brief letter documenting the inspection results and groundwater (and product) level measurements, along with an updated groundwater flow map for each groundwater system.

Task 2: Additional groundwater monitoring

Redevelop and then sample the monitoring wells (4 MW's and 4 EW's) and piezometers (with the exception of PZ-3 through PZ-7) twice (2x) roughly three months apart. Submit the samples for laboratory analysis of petroleum volatile organic compounds (PVOC) and naphthalene. Include the requisite quality assurance/quality control (QA/QC) samples for each sampling round.

For each sampling event, measure the groundwater level in every accessible well at the site, whether the well is sampled or not. Prepare a groundwater flow map for each groundwater system in the glacial deposits.

All contaminated materials generated at this site as part of the bid SOW must be properly contained and disposed/treated in accordance with State regulations.

Task 3: Estimation of contaminant plume travel time

Re-calculate (or model) the travel time of the contaminant plume to the Village of Slinger Well #3, located approximately 350 feet north-northeast from the site. To be conservative, the travel time calculations must consider retardation effects. For pertinent site hydrogeologic data, you will need to review the case file at the DNR Waukesha service center.

Provide water quality (i.e., volatile organic compounds) data for the Village of Slinger Well #3 (WI Unique Well #BH263), if the results are not already available on the DNR's Groundwater Retrieval Network database ([http://prodoasext.dnr.wi.gov/inter1/grn\\$.startup](http://prodoasext.dnr.wi.gov/inter1/grn$.startup)).

Task 4: Reporting

Prepare and submit a report describing and documenting the additional work completed at the site. The report will include, but is not limited to, appropriate maps, tabulated analytical data, lab reports, and all required forms.

The report is to include tabulated results for all historical groundwater analytical results collected during the entire site investigation and all historical groundwater elevation data. Groundwater flow direction and horizontal and vertical gradients shall also be calculated and presented on site maps for each groundwater sampling event. Site maps depicting the extent of residual groundwater contamination shall also be submitted.

The report shall be submitted to the DNR and a copy to Commerce **within 30 days** of receiving the laboratory analytical data for the last groundwater monitoring event.

While this bid is not to closure, there is a possibility of attaining closure at the conclusion of the SOW conducted under this bid. Upon completion of the SOW discussed above, evaluate site conditions and all historical soil and groundwater analytical data, and evaluate the potential for case closure consistent with the requirements of ch. NR 726, Wis. Adm. Code.

If closure is appropriate, then also prepare and submit a DNR Case Summary & Close Out form and GIS Registry packet (including utility/right-of-way and off-source property notification letters) for closure consideration by the DNR. The cost for preparing the additional closure report documentation and GIS Registry packet would be incremental to the overall report preparation cost.

Complete web reporting as appropriate (see SECTION 3).

Regarding the 2nd Page of the Bid Response:

If necessary, subsequent cost caps may be determined using page 2 following the successful completion of the activities under the initial cost cap. Approval shall be obtained through a request to Commerce (the DNR Project Manager shall be copied) for a change order. The request shall include total costs incurred to date under the existing cap. The subsequent cost cap amount may be adjusted up (or down, if for example, case closure is not appropriate) based on the outcome of the specified work activities.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Don's Uni Mart

COMMERCE #: 53086-9701-04-A

BRRTS #: 03-67-003432

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Don's Uni Mart

COMMERCE #: 53086-9701-04-A

BRRTS #: 03-67-003432

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for the following activities.

1	Well integrity inspection and results submittal.	\$	
2	Well redevelopment and first round of groundwater sampling for PVOC and naphthalene laboratory analysis (14 wells, QA/QC).	\$	
3	Second round of groundwater sampling for PVOC and naphthalene laboratory analysis.	\$	
4	Waste disposal – groundwater.	\$	
5	Contaminant migration calculations.	\$	
6	Report and documentation, and web reporting.	\$	
7	Case Summary & Close Out form and GIS Registry packet.		
8	PECFA Claim Preparation	\$	
	Total Bid Amount	\$	